

**MINUTES OF MEETING  
VILLAGE COMMUNITY  
DEVELOPMENT DISTRICT No 2**

The Meeting of the Board of Supervisors of the Village Community Development District No. 2 was held on Friday, December 14, 2012 at 9:30 a.m. at the District Office Board Room, 1894 Laurel Manor Drive, The Villages Florida, 32162.

Board members present and constituting a quorum:

Bob Gilmartin	Chairman
John Blum	Vice Chairman
Bart Zoellner	Supervisor
Nick Jones	Supervisor

Staff Present:

Janet Tutt	District Manager
Diane Tucker	Administrative Operations Manager
Valerie Fuchs	District Counsel
Sam Wartinbee	District Property Management Director
David Miles	Finance Director
Jennifer McQueary	District Clerk
Brittany Wilson	Executive Assistant
Candy Dennis	Community Standards Administrative Coordinator
Candice Lovett	Staff Assistant

**FIRST ORDER OF BUSINESS:**                      **Call to Order**

A.     Roll Call

Chairman Gilmartin called the meeting to order at 9:30 a.m. and stated for the record four (4) Supervisors were present representing a quorum. Ed Nowe was absent.

B.     Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

C.     Presentation to past Supervisor Mir

The Board presented Mr. Mir with a plaque and thanked him for his service to the community. Mr. Mir wished the Board a wonderful year and a Merry Christmas.

D. First Time Meeting Attendees

The Board welcomed all those residents in attendance at a Village Community Development District No. 2 Board meeting for the first time.

E. Audience Comments

There were no audience comments.

**SECOND ORDER OF BUSINESS:      Approval of the Minutes of the Board Meeting held on November 9, 2012**

Supervisor Jones requested a correction be made in the Minutes to reflect John Blum as the new District 2 Investment Advisory Committee member.

<b>On MOTION by Bart Zoellner, seconded by Nick Jones, with all in favor the Board approved the Minutes from the Board Meeting held on November 9, 2012.</b>
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**THIRD ORDER OF BUSINESS:      Financial Statements as of November 30, 2012**

Janet Tutt, District Manager, advised the Board she and Mr. Miles would need to excuse themselves from the meeting shortly due to a conference call and advised Ms. Tucker would continue the meeting. Ms. Tutt wished the Board a Merry Christmas and Happy New Year.

David Miles, Finance Director, reviewed the cash analyses prepared on November 28, 2012 that shows the District's investable balances as \$1,853,295 which were distributed among Citizens First Bank (CFB), State Board of Administration (SBA), the Florida Municipal Investment Trust (FMIvT) 0-2 and 1-3 year bond fund account and Florida Governmental Investment Trust (FLGIT) funds. The Budget to Actual Statements for the month ending November 30, 2012 representing 16.67% of the year were provided to the Board identifying the District has received 23.49% of the budgeted resources. The total expenditures are at 17.21% which is slightly elevated due to expending 52.37% for budgeted capital projects. During the month of November, the District's revenues exceeded expenditures by \$137,156 and on a year-to-date basis at \$52,770.

**FOURTH ORDER OF BUSINESS:      District Property Management Reports**

A. Landscape Maintenance Update

Brian Williams, District Property Management (DPM) Supervisor, provided the Board with an update on the following items:

- Tree trimming is complete along El Camino Real and will begin along Enrique.
- Plant replacement for District 2 is completed.
- Replacement of street signs within villa units will be completed in the upcoming month.
- Pressure washing of entry ways and painting of villa walls will be completed as part of the District's Capital Improvement Plan (CIP).

Chairman Gilmartin advised some street signs are turning black. Sam Wartinbee, DPM Director, concurred some signs are in need of cleaning and advised other than within the villas, street signs are Sumter County's responsibility. Mr. Wartinbee stated if the Board chose to proceed the street signs could be cleaned for an estimated \$50.

B. Water Retention Area Status Update

The Water Retention Update was provided to the Board for information.

<b>On MOTION by Nick Jones, seconded by John Blum, with all in favor, the Board approved the cleaning of the street signs along El Camino Real.</b>
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**FIFTH ORDER OF BUSINESS:**

**Appeal of Architectural Review Committee Denial of  
Alteration Application # 12-43922**

A. Staff Overview and Recommendation

Diane Tucker, Administrative Operations Manager, advised the public hearing is being held for an appeal received following a denial by the Architectural Review Committee (ARC) of Modification/Alteration Application #12-43922 submitted by Barbara Blatchford, 2801 Barboza Drive, to extend the patio and existing screen enclosure, along the side of the patio villa, forward five (5) feet so that the enclosure would be flush with the front of the screened lanai. Ms. Tucker stated the patio extension was approved by the ARC but the screen enclosure was denied based on the ARC Manual, Section 4.3, page 120 which states "Any structure built along the dominant side of a unit must maintain a five (5) foot offset from the front wall of the screen room".

Supervisor Zoellner inquired which takes legal precedence, the deed restriction or the ARC standards. Valerie Fuchs, District Counsel, advised the deed restriction take precedence; however, the standards provide guidance to the ARC. Ms. Fuchs clarified the deed restrictions do not prevent the residents request, however, the adopted standard do. The Board has the right to uphold the ARC decision or make a determination the item does not provide a substantial change to the neighborhood and direct Staff to modify and change the standards.

Supervisor Jones stated the intent of the matrix is to mirror the deed restriction. Ms. Tucker clarified that the deed restriction states "no owner shall make any structural alteration or shall undertake any exterior repainting or repair of or addition to his residence which would substantially alter the exterior appearance thereof without prior written approval."

B. Open Public Hearing to Received Public Comment

Chairman Gilmartin opened the public hearing at 9:47 a.m. to receive any public input.

Rich Blatchford, 2801 Barboza Drive, advised he has studied the covenants and stated "the easements for installation and maintenance of underground utilities, cables, television and drainage facilities are here by reserved over the common reserve and dedicated areas over the rear 7 ½ feet (except that of lot 47 and 49 shall be subject to 20 foot easement)" which do not pertain to the lot in question. Mr. Blatchford stated the covenant goes on to say "front 5 feet and 5 feet along both sides of each lot within in those easements, no structure planting or other material shall be placed or permitted to remain which may damage or interfere with the installation or maintenance of the utilities or which may damage, interfere or change the direction of the flow of drainage in the easements." Mr. Blatchford stated as they have a unique lot, this restriction would not be violated and is requesting the screen area be flush with the home.

Vice Chairman Blum requested clarification of the extension. Mr. Blatchford advised the portion of the application denied by the ARC is for the extension of the enclosure to the front, the installation of the concrete was approved.

Ms. Fuchs stated it is a policy decision for the Board to make. The standard review process of the ARC is that it shall not approve an application if the request substantially alters the appearance of the neighborhood.

Supervisor Zoellner inquired if any objections have been received from other residents in the neighborhood. Staff advised no communication has been received regarding the matter. Mr. Blatchford stated the lots are narrow in a patio villa neighborhood and the property line goes out 12 feet to the wall therefore, there is enough room to put a seven (7) foot cage down the side of the villa.

C. Close Public Hearing

Hearing no other additional public comment, Chairman Gilmartin closed the public hearing at 9:57 a.m.

D. Board Determination

Ms. Fuchs advised the Board can either uphold the ARC denial based on the current policies or remand the application back to the ARC with direction for Staff to amend the manual to remove the five (5) foot requirement.

Supervisor Jones stated because the other home lots do not provide the ability to expand without going into the easement, this request is a unique situation.

**On MOTION by Bart Zoellner, seconded by Nick Jones, with all in favor, the Board voted to remove Section 4.3 page 120 from the Architectural Review Manual which states "Any structure built along the dominant side of a unit must maintain a five (5) foot offset from the front wall of the screen room" and directed Staff to present the revised portion of the Manual at the January 11, 2013 meeting.**

Ms. Tucker stated the ARC works very hard in its review of the applications and are in the process of reviewing the Architectural Review Manual for additional revisions.

**CONSENT AGENDA:**

Chairman Gilmartin advised the Board a motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and no discussion will occur unless desired by a Board Member.

**On MOTION by Nick Jones, seconded by Bart Zoellner, with all in favor, the Board approved the following items on Consent Agenda:  
SIXTH ORDER OF BUSINESS: Adoption of Resolution Nos. 13-03, 13-04 and 13-05 to update the signatories of the Village Community Development District No. 2**

bank accounts for Citizens First Bank, State Board of Administration and U.S. Bank.

**SEVENTH ORDER OF BUSINESS:** Approved the continuation of the Compensating Balance Agreement with Citizens First Bank and the revised distribution of balances among Districts and Funds as provided.

**EIGHTH ORDER OF BUSINESS:** Adoption of Resolution 13-06 to amend the Fiscal Year 2012/2013 District #2 Budgets to carryforward \$40,798 in the General Fund and \$139,525 in the 1996 Capital Projects Fund.

**NINTH ORDER OF BUSINESS:** Accepted Assignment of Easement from The Villages of Lake-Sumter, Inc. which provides access to maintain certain portions of security walls reserved in the Declaration of Restrictions for the Villages of Sumter Units 23 and 28.

**TENTH ORDER OF BUSINESS: Old Business Status Update**

The Board directed Staff to remove the Maintenance of De Leon Pond from the Old Business Status Update.

**ELEVENTH ORDER OF BUSINESS: Staff Reports**

**A. Amenity Authority Committee Update**

Chairman Gilmartin requested Ann Forrester, District 2 Representative of the Amenity Authority Committee (AAC), provide the Board with an update from the December 12, 2012 meeting.

Ms. Forrester advised the Board of the following:

- The AAC has approved improvements to the Woodworkers Shop parking area.
- John Rohan, Recreation Director, has held informational and public input meetings for residents regarding possible improvements to the following recreation centers: Tierra Del Sol, Silver Lake, Southside, Chula Vista and Santiago.

Ms. Forrester thanked the Board and wished them Happy Holidays.

Ms. Forrester advised the AAC will hold a workshop on February 13, 2013 and requested any input from the Board be provided.

Supervisor Zoellner inquired if there will be consistency throughout The Villages regarding the opening of the entry gates. Mr. Wartinbee advised initially the gates had help phones which would connect to Community Watch; however, Sumter County stated public access to the roads is necessary and advised they would not maintain the roads unless roads were able to be accessed without

communicating with Community Watch. Mr. Wartinbee stated discussions have been underway regarding consistency.

Don Simpson, Carvello Drive, thanked the Board for the decision made regarding the appeal of the ARC denial. Mr. Simpson stated the ARC reviews the applications and makes their decision based on the manual.

Chairman Gilmartin thanked Mr. Simpson and the ARC on behalf of the Board.

B. Happy Holidays!!!

Staff with the Board and audience Happy Holidays.

**TWELFTH ORDER OF BUSINESS: District Counsel Reports**

Ms. Fuchs wished the Board Happy Holidays and Happy New Year.

**THIRTEENTH ORDER OF BUSINESS: Supervisor Comments**

Supervisor Jones advised within the last few weeks, the District lost the very first resident who served on the Board, Harry Honan, and requested Staff forward a letter from the Board to Mr. Honan's wife Janet.

Vice Chairman Blum wished Staff and the Board a Merry Christmas and Happy and Healthy New Year.

**FOURTEENTH ORDER OF BUSINESS: Adjourn**

The meeting was adjourned at 10:14 a.m.

On MOTION by Nick Jones, seconded by Bart Zoellner, with all in favor, the Board adjourned the meeting.

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Janet Y. Tutt  
Secretary

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Bob Gilmartin  
Chairman